

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CANDACE BOCCI,

Plaintiff,

-against-

NATIONSTAR MORTGAGE LLC
d/b/a MR. COOPER et al.,

Defendants.

ORDER

23-CV-1780 (JPC) (KHP)

KATHARINE H. PARKER, United States Magistrate Judge.

The Court has received the parties' letters regarding their settlement discussions. The Court reminds Defendants that they were directed to file a "joint status letter" (see ECF No. 43), and therefore they should have included Plaintiff's position in their letter. In the future, if directed to file a joint status letter, Defendants shall include Plaintiff's position in that letter, and they may state that they disagree with Plaintiff's position.

The parties' letters indicate that while Plaintiff remains open to mediation, Defendants are not open to mediation. Mediation discussions are typically only productive when both parties are open to mediation. Therefore, Plaintiff's request for a referral to mediation is denied at this time. However, Defendants are encouraged to keep an open mind about a potential mutual resolution of this matter, and if at any time Defendants are open to continued mediation discussions, they may write to the Court and request a settlement conference before the Undersigned or referral to the Court-annexed mediation program.

Defendants' Motion to Dismiss remains due on **Friday, December 15, 2023**. In light of Plaintiff's representation that she will struggle to meet her deadline to oppose the Motion due to the upcoming holidays and her heavy workload, the deadline for Plaintiff's opposition to the


motion is extended from Wednesday, January 31, 2024 to **Wednesday, February 21, 2024.**

Defendants' reply is due on **Wednesday, March 6, 2024.**

Plaintiff is encouraged to consult with the NYLAG clinic for assistance with responding to Defendants' Motion. The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York, in Room LL22, which is just inside the Pearl Street entrance to that Courthouse. The Clinic is open on weekdays from 10 a.m. to 4 p.m., except on days when the Court is closed. Plaintiff can make an appointment with the Clinic by calling (212) 659-6190.

Dated: New York, New York
December 5, 2023

SO ORDERED.



KATHARINE H. PARKER
United States Magistrate Judge